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18
19 IN THE UNITED STATES DISTRICT COURT
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA
21 WESTERN DIVISION

22 DAVE MICHAEL PETERS

23 Plaintiff,

24 v.

25 ROGER STEFFENS, W.W. NORTON
26 & COMPANY, and TANTOR MEDIA,
27 INCORPORATED

28 Defendants.

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Case No. 2:18-cv-02757

COMPLAINT FOR DAMAGES

DEMAND FOR JURY TRIAL

1 Plaintiff Dave Michael Peters, by and through his undersigned counsel,
2 files this Complaint against Defendants Roger Steffens, W.W. Norton &
3 Company, and Tantor Media, Incorporated (collectively “Defendants”), and
4 alleges as follows:

5 NATURE OF ACTION

6 1. This copyright infringement action is brought to end Defendant’s
7 unauthorized and infringing reproduction, creation of derivative works,
8 distribution, and offer for sale of copyrighted material, including printed material
9 and audio recordings.

10 2. Plaintiff is the owner of all right, title, and interest in and to the Federal
11 Copyright with Registration Number TXu001727469, which is printed material
12 with the title of “The Whole Truth and Nothing But The Truth So Help Me Bob.”
13 Plaintiff maintains exclusive rights to reproduce, prepare derivative works,
14 distribute, offer for sale, and create digital recordings of his copyrighted material
15 pursuant to 17 U.S.C § 106.

16 3. Defendant Roger Steffens is the author of the book titled “So Much
17 Things to Say: The Oral History of Bob Marley,” which infringes on Plaintiff’s
18 copyright. W.W. Norton & Company (“Norton”) published Steffens’ book and
19 Tantor Media, Incorporated (“Tantor Media”) produced the digital audio recording
20 of Steffens’ book (the printed book and audio recording are collectively referred to
21 as the “Infringing Works”); both Norton and Tantor Media infringed on Plaintiff’s
22 copyright.

23 4. Plaintiff seeks an injunction to prevent Defendants from continued
24 distribution of the Infringing Works. Plaintiff further seeks monetary damages and
25 prejudgment interest for Defendant’s past infringement of Plaintiff’s copyrighted
26 material. Specifically, Plaintiff is entitled to recover actual damages and the
27 Defendants’ profits under 17 U.S.C. § 504(b), as well as statutory damages
28 authorized by 17 U.S.C. § 504(c).

JURISDICTION AND VENUE

5. This is an action for copyright infringement arising under the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* This court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

6. Venue in this District is proper under 28 U.S.C. § 1391(b)(3) and 1400(a), as Roger Steffens, who is the agent of Norton and Tantor Media, resides and does business in this Court's jurisdiction. Moreover, Norton and Tantor Media sell their Infringing Works through their agent, Roger Steffens, as well as other agents found throughout this Court's jurisdiction, including but not limited to Amazon facilities located in San Bernardino County and Riverside County.

7. Venue is further proper in this Court pursuant to 28 U.S.C. § 1391 because a substantial part of the events giving rise to Plaintiff's claims occurred, in part, in the Central District of California, including the distribution and display of the copyrighted material.

8. Finally, Defendants Norton and Tantor Media sell their Infringing Works through their agent, Roger Steffens, as well as other agents found throughout this Court's jurisdiction, including but not limited to Amazon facilities located in San Bernardino County, California, and Riverside County, California, which provides venue over this action pursuant to 28 U.S.C. § 1400(a).

9. The Court has general and specific personal jurisdiction over Defendant Steffens. Defendant Steffens is domiciled in and is a citizen of Los Angeles, California. He is at home in California. Additionally, Defendant Steffens purposefully directed his commercial activities to California and the claims asserted herein against Defendant Steffens arise foreseeably from his purposeful direction of those intentional activities, including the infringement of Plaintiff's copyright and the use of copyrighted material for commercial sale in direct competition with Plaintiff's copyrighted work. The exercise of personal jurisdiction over Defendant

1 Steffens in this action would not be unreasonable and comports with traditional
2 notions of fair play and substantial justice.

3 10. This Court has specific personal jurisdiction over Defendant Norton in
4 this lawsuit. Defendant Norton availed itself of the privileges of conducting
5 activities in California by performing acts or consummating transactions within
6 California. Defendant Norton has invoked the benefits and protections of
7 California laws and purposefully directed its activities to California by committing
8 intentional acts that were expressly aimed at California and which caused harm that
9 Defendant Norton knew was likely to be suffered in California. As alleged herein,
10 Defendant Norton's intentional acts include placing materials, that infringe upon
11 Plaintiff's copyright, in California and marketing those materials for commercial
12 sale in California with full knowledge that the Infringing Works would impede on
13 the marketability of Plaintiff's copyrighted work. The claims asserted by Plaintiff
14 in this action arise out of or result from Defendant Norton's California-related
15 activities. Plaintiff's claims are directly related to Defendant Norton's acts of
16 infringement and the commercial direction of its materials, including that infringing
17 material, into the marketplace in California to compete directly with Plaintiff's
18 copyrighted work. There is a direct nexus between the causes of action asserted in
19 this Complaint and Defendant Norton's activities within California. Plaintiff's
20 injuries caused by Defendant Norton's infringement of Plaintiff's copyright arise
21 directly and foreseeably from Defendant Norton's purposeful direction of its
22 activities to California. Finally, the exercise of personal jurisdiction over
23 Defendant Norton in this action would not be unreasonable and comports with
24 traditional notions of fair play and substantial justice.

25 11. This Court has specific personal jurisdiction over Defendant Tantor
26 Media in this lawsuit. Defendant Tantor Media availed itself of the privileges of
27 conducting activities in California by performing acts or consummating
28 transactions within California. Defendant Tantor Media has invoked the benefits

1 and protections of California laws and purposefully directed its activities to
2 California by committing intentional acts that were expressly aimed at California
3 and which caused harm that Defendant Tantor Media knew was likely to be suffered
4 in California. As alleged herein, Defendant Tantor Media's intentional acts include
5 placing materials that infringe upon Plaintiff's copyright into direct competition
6 with Plaintiff's work in California and marketing those materials for commercial
7 sale in California in direct competition with Plaintiff's work. The claims asserted
8 by Plaintiff in this action arise out of or result from Defendant Tantor Media's
9 California-related activities. Plaintiff's claims are directly related to Defendant
10 Tantor Media's acts of infringement and the commercial direction of its materials,
11 including that infringing material, into the marketplace in California to compete
12 directly with Plaintiff's copyrighted work. There is a direct nexus between the
13 causes of action asserted in this Complaint and Defendant Tantor Media's activities
14 within California. Plaintiff's injuries caused by Defendant Tantor Media's
15 infringement of Plaintiff's copyright arise directly and foreseeably from Defendant
16 Tantor Media's purposeful direction of its activities to California. Finally, the
17 exercise of personal jurisdiction over Defendant Tantor Media in this action would
18 not be unreasonable and comports with traditional notions of fair play and
19 substantial justice.

20 12. More specifically, this Court has personal jurisdiction over Defendants
21 Norton and Tantor Media, as they are selling and offering to sell copies of
22 copyrighted material, and have within a reasonable period prior to the filing of this
23 action, sold and offered to sell and distribute their infringing products, including
24 the infringing books and audio recordings, to customers in this state and in this
25 district, either directly or indirectly. Upon information and belief, Norton and
26 Tantor Media have purposefully directed their infringing products, including the
27 infringing books and audio recordings, into the marketplace in California, knowing
28 or reasonably expecting that the infringing books and audio recordings will be

1 distributed, sold, or offered to be sold in this state and in this district. Upon
2 information and belief, Norton and Tantor Media have intentionally established
3 distribution channels to offer their infringing products for sale in California and to
4 sell and distribute their infringing products in California, including the books and
5 audio recordings. All such reproduction, distribution, display, and creation of
6 derivative works was unauthorized by Plaintiff, the exclusive owner of the rights to
7 reproduce, distribute, and create derivative works from such copyrighted material.

8 PARTIES

9 13. Plaintiff, Dave Michael Peters, is a natural person currently residing
10 in San Antonio, Texas with an address of 7514 Eagle Ledge, San Antonio, TX
11 78249.

12 14. On information and belief, Defendant, Roger Steffens, is domiciled
13 in Los Angeles, California. Roger Steffens is an agent of Norton and Tantor
14 Media.

15 15. On information and belief, Defendant, W.W. Norton & Company,
16 Inc., is incorporated in New York with its principal place of business located at
17 500 5th Ave # 6, New York, NY 10110. Norton does substantial business within
18 the Central District of California. On information and belief, Norton is the
19 publisher of Defendant Roger Steffens' Book, "So Much Things to Say: The Oral
20 History of Bob Marley." Without authorization, Norton has reproduced,
21 distributed, and displayed the copyrighted material that is owned by Plaintiff.
22 Norton maintains agents, including but not limited to Roger Steffens, in the
23 Central District of California.

24 16. On information and belief, Defendant, Tantor Media, Incorporated,
25 is a Connecticut corporation with its principal place of business at 6 Business Pk
26 Rd., Old Saybrook, CT, 06475. Tantor Media recreated the Steffens' book into
27 a digital audio collection, which it reproduces and distributes without the consent
28 of Plaintiff. Tantor Media maintains agents, including but not limited to Roger

1 Steffens, in the Central District of California.

2 FACTUAL ALLEGATIONS

3 17. Plaintiff is a researcher, writer, and Reggae music enthusiast. After
4 meeting Glen DeCosta, the saxophone player of The Wailers in the early 1990's,
5 Mr. Peters began working on a novel with Glen describing his life with Bob
6 Marley. The subject of the novel specifically concerned the ten years Mr.
7 DeCosta had been on tour with the legendary Jamaican singer-songwriter, and the
8 years following Bob Marley's death. Over the last 24 years, Mr. Peters has
9 traveled to Jamaica over 60 times, researching, interviewing, and recording both
10 music and interviews for the copyrighted material entitled "The Whole Truth,
11 And Nothing But The Truth, So Help Me Bob" ("The Whole Truth").

12 18. On or about December 2009, Mr. Peters registered "The Whole
13 Truth" for federal copyright protection with the United States Copyright Office
14 and was subsequently issued Registration Certificate No. TXu001727469 on
15 January 4, 2010. Attached as Exhibit 1 to this Complaint is a true and correct copy
16 of the copyright registration found on the Copyright Office Website.

17 19. At all relevant times, Mr. Peters was and is the sole owner of all
18 exclusive rights to "The Whole Truth."

19 20. In October of 2015, Los Angeles-based writer, Gustavo Turner was
20 hired to assist in the writing and editing process of "The Whole Truth." While
21 doing so, Gustavo, who had connections to another famed Bob Marley enthusiast,
22 Roger Steffens, shared a copy of "The Whole Truth" manuscript with Roger
23 Steffens for critique.

24 21. On July 11, 2017, Steffens' book, "So Much Things to Say: The Oral
25 History of Bob Marley," was published by Norton, followed by an audiobook
26 issued by Tantor Media. Steffens' book and the associated audiobook are The
27 Infringing Works. At the time this complaint was filed, the Infringing Works
28 were the #1 best-selling Reggae Music book on Amazon.

1 22. The Infringing Works include a 385-word portion of “The Whole
2 Truth” recalling the “special jug” that Bob Marley used to keep in the fridge while
3 on tour. Before then, Glen’s account of an incident at the historic Apollo Theater
4 involving Bob Marley’s “special jug” was a previously untold story that Glen
5 only intended to disclose in his upcoming memoir, “The Whole Truth.” Though
6 Defendants claim that Roger Steffens’ actually interviewed Glen DaCosta to
7 obtain the story, Mr. DeCosta was never interviewed by Mr. Steffens. Rather, the
8 story was taken from “The Whole Truth” and placed in the Infringing Works

9 23. Defendants did not have any license, authorization, permission, or
10 consent to use any part of “The Whole Truth” in the Infringing Work. Defendants
11 had access to and intentionally copied Plaintiff’s work from “The Whole Truth.”
12 Further, Defendants intentionally and/or negligently copied, publicly distributed,
13 and/or publicly displayed the Infringing Works. All of Defendants’ actions were
14 taken without prior request or permission of Plaintiff, who was the exclusive
15 owner of the rights to reproduce, prepare derivative works, distribute, display,
16 and create digital recordings of The Whole Truth.

17 24. In fact, on or around August 13, 2017, after purchasing a copy of the
18 Infringing Works, Plaintiff learned that Defendant Steffens had plagiarized a
19 portion of “The Whole Truth” in the Infringing Works. Attached as Exhibit 2 to
20 this Complaint is a true and correct copy of an excerpt from Plaintiff’s
21 copyrighted material. Attached as Exhibit 3 to this Complaint is a true and correct
22 copy of an excerpt from Defendants’ Infringing Works. A comparison of Exhibit
23 2 and Exhibit 3 clearly illustrates the unauthorized use of Plaintiff’s copyrighted
24 material.

25 25. Though Defendant Steffens was on notice of a valid copyright in the
26 contents of “The Whole Truth” the moment he took Plaintiff’s work and claimed
27 it as his own, Plaintiff nevertheless informed Defendant Steffens about the
28 infringing use of his copyright on or around October 15, 2017.

1 26. Despite having knowledge of the infringement, Defendants continue
2 to infringe Plaintiff's copyright by distributing, displaying, reproducing, creating
3 derivative works, and creating digital audio recordings of the Infringing Works,
4 which contains 385 words directly copied from "The Whole Truth." Plaintiff is
5 entitled to redress for Defendants' willful, intentional and purposeful use and
6 exploitation of Plaintiff's copyrighted material for their own financial benefit
7 with full knowledge that such use constituted infringement of, and was in
8 disregard of, Plaintiffs' rights.

9 27. Defendants have already begun reproducing, distributing, creating
10 derivatives, displaying, and digital audio recordings of the audio recordings the
11 Infringing Works throughout the United States.

12 28. Upon information and belief, Defendant Steffens has been on tour to
13 promote the Infringing Works on a Global basis.

14 29. Defendants' continued imminent commercial use of the Infringing
15 Works will cause Plaintiff irreparable harm by depriving him off the right to
16 control the reproduction of his copyrighted material and earn revenue from his
17 copyrighted material as.

18 30. As the portion of the Infringing Works would also be considered
19 plagiarism, Plaintiff is likely to succeed on the merits of his copyright
20 infringement claim against the Defendants because Defendants' use of the
21 Infringing Works does not fall within any of the statutory exceptions to copyright
22 infringement and is in violation of copyright laws.

23 31. Plaintiff is therefore entitled to an injunction barring Defendants
24 from continued infringement of Plaintiff's copyright.

25 **CAUSES OF ACTION AGAINST ALL DEFENDANTS**

26 **COUNT I**

27 **COPYRIGHT INFRINGEMENT AND RELATED CLAIMS**

28 **PURSUANT TO 17 U.S.C. §101 ET SEQ**

1 32. Plaintiff hereby incorporates by reference all preceding paragraphs
2 as if fully set forth herein.

3 33. “The Whole Truth” constitutes original work and copyrightable
4 subject matter pursuant to the Copyright Act, and it was duly registered by
5 Plaintiff with the United States Copyright Office in compliance with relevant
6 statutory formalities. Plaintiff is the owner of a valid copyright in “The Whole
7 Truth.”

8 34. At all relevant times, Plaintiff, not the Defendants, was, and still is,
9 the owner of all rights, title and interest in and to his copyright to the material
10 contained within “The Whole Truth.” As such, Plaintiff has the exclusive rights
11 to, among other things, reproduce his work, distribute copies of his work to the
12 public, create derivative works, create digital audio recordings, and to authorize
13 such reproduction, distribution and display of his work. These rights have never
14 been assigned, licensed, or otherwise transferred to Defendant or any other
15 person, nor have such rights been dedicated to the public.

16 35. By their actions alleged in this Complaint, Defendants have directly
17 infringed Plaintiffs’ copyrights in and relating to “The Whole Truth.” As a factual
18 matter, Defendants actually used portions of the copyrighted work “The Whole
19 Truth” to make the Infringing Works. Defendants had access to “The Whole
20 Truth” before creation of their infringing work. The challenged portions of the
21 Infringing Works are substantially similar (if not identical) to protectable
22 elements of “The Whole Truth.”

23 36. Defendants knew or should have known that “The Whole Truth” was
24 subject to a valid copyright, possessed by Plaintiff. Upon discovery of their
25 infringement of that copyright, Defendants were notified of the copyright and
26 continued to publish, market, and sell the Infringing Works in contravention of
27 the copyright.

28 37. Defendants, and each of them, have infringed the copyright to “The

1 Whole Truth” by incorporating a portion of that work into the Infringing Works,
2 without authorization. Defendants have published, manufactured, distributed,
3 sold and licensed copies of the Infringing Works as well as unauthorized
4 derivative works, including, but not limited to an audiobook, all violations of 17
5 U.S.C. §106. Defendants never paid Plaintiff nor secured the permission for the
6 use of any part of “The Whole Truth” and have continually sold and otherwise
7 exploited the Infringing Work, thus depriving Plaintiff of the benefits derived
8 from the exploitation of the copyrighted literary work, and to deprive Plaintiff of
9 the goodwill that would necessarily be associated.

10 38. By reason of Defendants’ willful infringement and threatened
11 continued infringement, Plaintiff has sustained and will continue to sustain
12 substantial injury, loss, and damage to his ownership right in the copyrighted
13 work.

14 39. Defendants’ acts of infringement are willful, intentional and
15 purposeful in disregard of and with indifference to Plaintiff’s rights. As a direct
16 and proximate result of said infringement by Defendants, Plaintiff is entitled to
17 damages in an amount to be proven at trial. Plaintiff is also entitled to Defendants’
18 profits attributable to the infringement, pursuant to 17 U.S.C. § 504(b).

19 40. Plaintiff is further entitled to recover from the Defendants the
20 damages he has sustained and will sustain, and any gains, profits and advantages
21 obtained by the Defendants as a result of their willful acts of infringement alleged
22 in this Complaint. Plaintiff is further entitled to statutory damages, as well as
23 attorneys’ fees, and including but not limited to such damages and awards as are
24 available under 17. U.S.C. §§504-505.

25 41. As a direct and proximate result of the foregoing acts and conduct,
26 Plaintiff has sustained and will continue to sustain substantial, immediate, and
27 irreparable injury, for which there is no adequate remedy at law. On information
28 and belief, unless enjoined and restrained by this Court, Defendants will continue

1 to infringe on Plaintiff's copyrighted literary work. Plaintiff is entitled to
2 preliminary and permanent injunctive relief to restrain and enjoin Defendants'
3 continuing infringing conduct.

4 **COUNT II**
5 **CONTRIBUTORY COPYRIGHT INFRINGEMENT AND**
6 **RELATED CLAIMS PURSUANT TO 17 U.S.C. §101 ET SEQ**

7 42. Plaintiff hereby incorporates by reference all preceding paragraphs
8 as if fully set forth herein.

9 43. Upon information and belief, in addition to committing the direct
10 acts of infringement alleged above, each Defendant, individually and in concert,
11 directly and intentionally contributed to the direct infringement of Plaintiff's
12 copyrights by illegally distributing and selling the Infringing Works to
13 consumers, to Plaintiff's detriment. Defendants' conduct, as alleged in this
14 Complaint, constitutes contributory infringement of Plaintiff's copyrights in
15 violation of Sections 106 and 501 of the Copyright Act, 17 U.S.C. §§ 106 and
16 501.

17 44. Upon information and belief, Defendants directed and controlled the
18 infringing activities alleged in this Complaint and were and are in a position to
19 benefit economically from the infringement of plaintiff's intellectual property
20 rights.

21 45. Defendants directly encouraged, facilitated, and/or induced the
22 unauthorized reproduction, adaptation, distribution, and public display of
23 Plaintiff's work; thus, Defendants are contributorily liable for Plaintiff's resulting
24 damages. Defendants' actions and omissions as identified in this Complaint show
25 that Defendants acted intentionally disregarded Plaintiff's copyrights without
26 permission, license, or consent of Plaintiff.

27 46. Plaintiff is entitled to recover from the Defendants the damages he
28 has sustained and will sustain, and any gains, profits and advantages obtained by
Defendants as a result of the Defendants' contributory infringements alleged in

1 this Complaint, or in the alternative statutory damages, as well as attorneys' fees,
 2 and including but not limited to such damages and awards as are available under
 3 17. U.S.C. §§504-505.

4 47. As a result of Defendants' unlawful and deliberate conduct as set
 5 forth above, Plaintiff has been and will continue to be damaged. Plaintiff is
 6 entitled to recover the damages sustained and will sustain, and any gains, profits,
 7 and advantages obtained and enjoyed by Defendants as a result of their acts of
 8 copyright infringement as alleged above. At present, the amount of such damages,
 9 gains, profits, and advantages cannot be fully ascertained by Plaintiff and will be
 10 established according to proof at trial.

11 48. As a direct and proximate result of the foregoing acts and conduct,
 12 Plaintiff has sustained and will continue to sustain substantial, immediate, and
 13 irreparable injury, for which there is no adequate remedy at law. On information
 14 and belief, unless enjoined and restrained by this Court, Defendants will continue
 15 to infringe on Plaintiff's copyrighted literary work. Plaintiff is entitled to
 16 preliminary and permanent injunctive relief to restrain and enjoin Defendants'
 17 continuing infringing conduct.

18 **COUNT III**
 19 **VICARIOUS COPYRIGHT INFRINGEMENT AND RELATED CLAIMS**
 20 **PURSUANT TO 17 U.S.C. §101 ET SEQ**

21 49. Plaintiff hereby incorporates by reference all preceding paragraphs
 22 as if fully set forth herein.

23 50. Upon information and belief, in addition to committing the direct
 24 and contributory acts of infringement alleged, Defendants, individually and in
 25 concert encouraged and facilitated the infringing activity by reproducing,
 26 licensing, printing, distributing, marketing, and selling the Infringing Work to
 27 Plaintiff's detriment.

28 51. Upon information and belief, Defendants facilitated such infringing
 and illegal activity in violation of Plaintiff's intellectual property rights, and each

1 had a direct financial interest in, and stood to gain a direct financial benefit from
2 the deliberate infringing activity.

3 52. Upon information and belief, Defendants both did more than supply
4 the means to effectuate the infringement of Plaintiff's copyrights but substantially
5 participated in, and stood to benefit financially from, such infringing activities to
6 Plaintiff's detriment.

7 53. Upon information and belief, Defendants conspired and acted in
8 concert with one another to accomplish the above acts,

9 54. As a result of Defendants' unlawful conduct as set forth above,
10 defendants in addition to their liability for direct and contributory infringement
11 of Plaintiff's copyrights, are jointly and severally liable for vicarious infringement
12 of Plaintiff's copyrights.

13 55. As a result of Defendants' unlawful conduct as set forth above,
14 Plaintiff has been and will continue to be damaged. Plaintiff is entitled to recover
15 the damages sustained and will sustain, and any gains, profits, and advantages
16 obtained and enjoyed by Defendants as a result of their acts of copyright
17 infringement as alleged above. At present, the amount of such damages, gains,
18 profits, and advantages cannot be fully ascertained by Plaintiff and will be
19 established according to proof at trial.

20 56. As a direct and proximate result of the foregoing acts and conduct,
21 Plaintiff has sustained and will continue to sustain substantial, immediate, and
22 irreparable injury, for which there is no adequate remedy at law. On information
23 and belief, unless enjoined and restrained by this Court, Defendants will continue
24 to infringe on Plaintiff's copyrighted literary work. Plaintiff is entitled to
25 preliminary and permanent injunctive relief to restrain and enjoin Defendants'
26 continuing infringing conduct.

27 **PRAYER FOR RELIEF**
28

1 **WHEREFORE**, Plaintiff prays for relief against Defendants, and each of
2 them jointly and severally, as follows:

3 1. For damages in such amount as may be found, or as otherwise
4 permitted by law;

5 2. For an accounting of, and the imposition of constructive trust with
6 respect to, Defendants' profits attributable to their infringements of Plaintiffs'
7 copyright in the Infringing Work or those profits realized as a result of the use of
8 Plaintiff's copyright materials or alternately, for statutory damages for willful
9 infringement of copyright;

10 3. Awarding Plaintiff actual damages under 17 U.S.C. §504(b);

11 4. Awarding Plaintiff damages in an amount equal to the Defendants'
12 profits as authorized by 17 U.S.C. §504(b);

13 5. Awarding Plaintiff statutory damages in conformance with 17 U.S.C.
14 §504(c);

15 6. For reasonable attorney's fees pursuant to 17 U.S.C. §505;

16 7. Interest on the judgment at the highest legal rate from the date of
17 judgment until collected;

18 8. For expenses and costs of this action;


19 9. An injunction to prevent the Defendants from continued distribution
20 of the Infringing Works; and

21 10. Such other or further relief as this Court deems necessary, just and
22 proper.

1 April 3, 2018

Respectfully submitted,

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3 **NELSON & FRAENKEL LLP**

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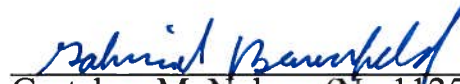
JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: April 3, 2018

Respectfully submitted,

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